



General Assembly

Amendment

January Session, 2011

LCO No. 6429

SB0086306429SD0

Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. LEBEAU, 3rd Dist.

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

SEN. COLEMAN, 2nd Dist.

SEN. SLOSSBERG, 14th Dist.

SEN. DOYLE, 9th Dist.

SEN. STILLMAN, 20th Dist.

To: Subst. Senate Bill No. **863**

File No. 162

Cal. No. 140

***"AN ACT CONCERNING THE LICENSING OF SWIMMING POOL
INSTALLERS."***

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 4-168 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2011*):

6 (a) Except as provided in subsection (g) of this section, an agency,
7 prior to adopting a proposed regulation, shall: (1) Give at least thirty
8 days' notice by publication in the Connecticut Law Journal of its
9 intended action. The notice shall include (A) either a statement of the
10 terms or of the substance of the proposed regulation or a description
11 sufficiently detailed so as to apprise persons likely to be affected of the
12 issues and subjects involved in the proposed regulation, (B) a

13 statement of the purposes for which the regulation is proposed, (C) a
14 reference to the statutory authority for the proposed regulation, (D)
15 when, where and how interested persons may obtain a copy of the
16 small business impact and regulatory flexibility analyses required
17 pursuant to section 4-168a, and (E) when, where and how interested
18 persons may present their views on the proposed regulation; (2) give
19 notice [by mail] to each joint standing committee of the General
20 Assembly having cognizance of the subject matter of the proposed
21 regulation; (3) give notice [by mail] to all persons who have made
22 requests to the agency for advance notice of its regulation-making
23 proceedings. The agency may charge a reasonable fee for such notice
24 based on the estimated cost of providing the service; (4) provide a
25 paper copy or electronic version of the proposed regulation to persons
26 requesting it. The agency may charge a reasonable fee for copies in
27 accordance with the provisions of section 1-212; (5) no later than the
28 date of publication of the notice in the Connecticut Law Journal,
29 prepare a fiscal note, including an estimate of the cost or of the
30 revenue impact (A) on the state or any municipality of the state, and
31 (B) on small businesses in the state, including an estimate of the
32 number of small businesses subject to the proposed regulation and the
33 projected costs, including but not limited to, reporting, recordkeeping
34 and administrative, associated with compliance with the proposed
35 regulation and, if applicable, the regulatory flexibility analysis
36 prepared under section 4-168a. The governing body of any
37 municipality, if requested, shall provide the agency, within twenty
38 working days, with any information that may be necessary for analysis
39 in preparation of such fiscal note; (6) afford all interested persons
40 reasonable opportunity to submit data, views or arguments, orally at a
41 hearing granted under subdivision (7) of this subsection or in writing,
42 and to inspect and copy the fiscal note prepared pursuant to
43 subdivision (5) of this subsection; (7) grant an opportunity to present
44 oral argument if requested by fifteen persons, by a governmental
45 subdivision or agency or by an association having not less than fifteen
46 members, if notice of the request is received by the agency within
47 fourteen days after the date of publication of the notice; and (8)

48 consider fully all written and oral submissions respecting the proposed
49 regulation and revise the fiscal note in accordance with the provisions
50 of subdivision (5) of this subsection to indicate any changes made in
51 the proposed regulation. No regulation shall be found invalid due to
52 the failure of an agency to give notice to each committee of cognizance
53 pursuant to subdivision (2) of this subsection, provided one such
54 committee has been so notified.

55 Sec. 502. Subdivision (1) of subsection (a) of section 20-306 of the
56 general statutes is repealed and the following is substituted in lieu
57 thereof (*Effective October 1, 2011*):

58 (a) (1) The Department of Consumer Protection shall notify [by
59 mail] each person licensed under this chapter of the date of the
60 expiration of such license and the amount of the fee required for its
61 renewal for one year. Such license renewals shall be accompanied by
62 the payment of the professional services fee for class G, as defined in
63 section 33-182l, in the case of a professional engineer license, a
64 professional engineer and land surveyor combined license, or a land
65 surveyor license. The license shall be considered lapsed if not renewed
66 within thirty days following the normal expiration date.

67 Sec. 503. Section 30-20 of the general statutes is repealed and the
68 following is substituted in lieu thereof (*Effective October 1, 2011*):

69 (a) A package store permit shall allow the retail sale of alcoholic
70 liquor not to be consumed on the premises, such sales to be made only
71 in sealed bottles or other containers. The holder of a package store
72 permit may, in accordance with regulations adopted by the
73 Department of Consumer Protection pursuant to the provisions of
74 chapter 54, offer free samples of alcoholic liquor for tasting on the
75 premises, conduct demonstrations and conduct tastings or
76 demonstrations provided by a permittee or backer of a package store
77 for a nominal charge to charitable nonprofit organizations. Any
78 offering, tasting or demonstration held on permit premises shall be
79 conducted only during the hours a package store is permitted to sell

80 alcoholic liquor under section 30-91. No store operating under a
81 package store permit shall sell any commodity other than alcoholic
82 liquor except that, notwithstanding any other provision of law, such
83 store may sell (1) cigarettes, (2) publications, (3) bar utensils, which
84 shall include, but need not be limited to, corkscrews, beverage
85 strainers, stirrers or other similar items used to consume or related to
86 the consumption of alcoholic liquor, (4) gift packages of alcoholic
87 liquor shipped into the state by a manufacturer or out-of-state shipper,
88 which may include a nonalcoholic item in the gift package that may be
89 any item, except food or tobacco products, provided the dollar value of
90 the nonalcoholic items does not exceed the dollar value of the alcoholic
91 items of the package, (5) nonalcoholic beverages, (6) concentrates used
92 in the preparation of mixed alcoholic beverages, (7) beer and wine-
93 making kits and products related to beer and wine-making kits, (8) ice
94 in any form, (9) articles of clothing imprinted with advertising related
95 to the alcoholic liquor industry, (10) gift baskets or other containers of
96 alcoholic liquor, (11) multiple packages of alcoholic liquors, as defined
97 in subdivision (3) of section 30-1, provided in all such cases the
98 minimum retail selling price for such alcoholic liquor shall apply, and
99 (12) lottery tickets authorized by the Division of Special Revenue, if
100 licensed as an agent to sell such tickets by said division. A package
101 store permit shall also allow the taking and transmitting of orders for
102 delivery of such merchandise in other states. Notwithstanding any
103 other provision of law, a package store permit shall allow the
104 participation in any lottery ticket promotion or giveaway sponsored by
105 the Division of Special Revenue. The annual fee for a package store
106 permit shall be five hundred thirty-five dollars. [plus the sum required
107 by section 30-66.]

108 (b) A grocery store beer permit may be granted to any grocery store
109 and shall allow the retail sale of beer in standard size containers not to
110 be consumed on the premises. A holder of a grocery store beer permit
111 shall post in a prominent location adjacent to the beer display, the
112 retail price for each brand of beer and said retail price shall include all
113 applicable federal and state taxes including the applicable state sales

114 taxes. The annual fee for a grocery store beer permit shall be one
115 hundred [sixty] seventy dollars. [plus the sum required by section 30-
116 66.]

117 (c) "Grocery store" means any store commonly known as a
118 supermarket, food store, grocery store or delicatessen, primarily
119 engaged in the retail sale of all sorts of canned goods and dry goods
120 such as tea, coffee, spices, sugar and flour, either packaged or in bulk,
121 with or without fresh fruits and vegetables, and with or without fresh,
122 smoked and prepared meats, fish and poultry, except that no store
123 primarily engaged in the retail sale of seafood, fruits and vegetables,
124 candy, nuts and confectioneries, dairy products, bakery products or
125 eggs and poultry shall be included in the definition of "grocery store".

126 Sec. 504. Section 30-36 of the general statutes is repealed and the
127 following is substituted in lieu thereof (*Effective October 1, 2011*):

128 A druggist permit may be issued by the Department of Consumer
129 Protection to a drug store proprietor. No druggist permit shall be
130 issued covering a new drug store or a new location for an old drug
131 store until the Commission of Pharmacy is satisfied that a drug store at
132 such location is necessary to the convenience and best interest of the
133 public. A druggist permit (1) shall allow the use of alcoholic liquors for
134 the compounding of prescriptions of physicians, advanced practice
135 registered nurses, physician assistants and dentists and for the
136 manufacturing of all United States Pharmacopoeia and National
137 Formulary preparations and all other medicinal preparations, (2) shall
138 allow the retail sale of alcoholic liquor in containers of not less than
139 eight ounces or one hundred eighty-seven and one-half milliliters and
140 not more than one quart or one liter capacity except that beer may be
141 sold in containers of not more than forty ounces or twelve hundred
142 milliliters capacity, to any person, and (3) shall forbid the drinking of
143 such alcoholic liquor on the premises of any drug store. Such permittee
144 shall keep all alcoholic liquors in compartments, which compartments
145 shall be securely locked except during those hours when the sale of
146 alcoholic liquor is permitted by law. The holder of a druggist permit

147 shall not display any alcoholic liquors or containers, marked or labeled
148 or in any other way suggesting the contents of intoxicating liquors, in
149 the windows of the permit premises. The Commission of Pharmacy
150 shall revoke or suspend the pharmacy license of any pharmacist upon
151 whose premises any violation of any provision of this section occurs.
152 The annual fee for a druggist permit shall be five hundred thirty-five
153 dollars. [plus the sum required by section 30-66.]

154 Sec. 505. Section 30-66 of the general statutes is repealed. (*Effective*
155 *October 1, 2011*)"